

# BEST AVAILABLE COPY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Applicants : Mark C. Schmidt et al.  
Application Serial No.: 10/611,846  
Filing Date: July 1, 2003  
Title: AUTOMATICALLY ACTIVATED LASER SCANNING 2D  
BAR CODE SYMBOL READING SYSTEM  
Examiner : Ahshik Kim  
Group Art Unit : 2876  
Attorney Docket No. : 108-194USAND0

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

### CERTIFICATE UNDER 37 C.F.R §3.73(b)

SIR:

Metrologic Instruments, Inc., a corporation of New Jersey, certifies that it is the Assignee of the entire right, title, and interest in the patent application identified above, as well as of U.S. Application No. 10/342,433, by virtue of the Assignment recorded in the USPTO on February 17, 2004 at Reel 14345 and Frames 422-435. A copy of the Assignment document is enclosed herewith.

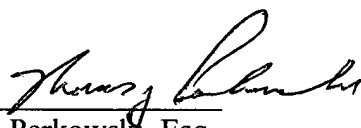
The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectively submitted,

Dated: February 23, 2006

  
Thomas J. Perkowski, Esq.  
Reg. No. 33,134  
Attorney for Assignee of Record  
Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
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CERTIFICATE OF FIRST CLASS MAIL  
UNDER 37 CFR 1.08

I hereby certify that this correspondence  
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Thomas J. Perkowski, Esq.

Dated: February 23, 2006



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Washington, D.C. 20231



\*700066661A\*

FEBRUARY 19, 2004

PTAS

THOMAS J. PERKOWSKI, ESQ.  
1266 EAST MAIN STREET  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 02/17/2004

REEL/FRAME: 014345/0422  
NUMBER OF PAGES: 13

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SCHMIDT, MARK

DOC DATE: 07/25/2003

ASSIGNOR:  
RUSSELL, GARRETT

DOC DATE: 07/25/2003

ASSIGNOR:  
WILZ, DAVID M., SR.

DOC DATE: 07/31/2003

ASSIGNOR:  
BLAKE, ROBERT

DOC DATE: 07/31/2003

ASSIGNOR:  
HUDRICK, DONALD T.

DOC DATE: 07/31/2003

ASSIGNOR:  
COLAVITO, STEPHEN J.

DOC DATE: 07/31/2003

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01 345/0422 PAGE 2

## ASSIGNOR:

KNOWLES, C. HARRY

DOC DATE: 07/31/2003

## ASSIGNOR:

ROCKSTEIN, GEORGE

DOC DATE: 08/01/2003

## ASSIGNOR:

ZHU, XIAOXUN

DOC DATE: 07/22/2003

## ASSIGNOR:

BONANNO, JOHN

DOC DATE: 08/06/2003

## ASSIGNOR:

BYUN, SUNG

DOC DATE: 07/31/2003

## ASSIGNOR:

XU, CONGWEI

DOC DATE: 07/22/2003

## ASSIGNOR:

JIANG, MIN

DOC DATE: 07/22/2003

## ASSIGNOR:

WANG, LIN

DOC DATE: 07/22/2003

## ASSIGNOR:

HU, MENG

DOC DATE: 07/21/2003

## ASSIGNOR:

JIN, HONGJIAN

DOC DATE: 07/21/2003

## ASSIGNOR:

JI, MINQING

DOC DATE: 07/22/2003

## ASSIGNOR:

SHI, SHAMEI

DOC DATE: 07/21/2003

## ASSIGNOR:

AU, KA MAN

DOC DATE: 07/31/2003

## ASSIGNOR:

GIORDANO, PATRICK

DOC DATE: 07/31/2003

## ASSIGNEE:

METROLOGIC INSTRUMENTS, INC.  
90 COLES ROAD  
BLACKWOOD, NEW JERSEY 08012

SERIAL NUMBER: 10342433

PATENT NUMBER:

FILING DATE: 01/12/2003

ISSUE DATE:

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014345/0422 PAGE 3

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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**PATENT ASSIGNMENT**

For value received we, Mark Schmidt, Garrett Russell, David M. Wilz, Sr., Robert Blake, Donald T. Hudrick, Stephen J. Colavito, C. Harry Knowles, George Rockstein, Xiaoxun Zhu, John Bonanno, Sung Byun, Congwei Xu, Min Jiang, Lin Wang, Meng Hu, Hongjian Jin, MingQing Ji, Shamei Shi, Ka Man Au and Patrick Giordano, hereby sell, assign and transfer to Metrologic Instruments, Inc., having a place of business at 90 Coles Road, Blackwood, New Jersey 08012, and a state of incorporation in New Jersey, as assignee, and its successors, assigns and legal representatives, the entire rights, title and interest, for all countries in and to certain inventions disclosed in U.S. Application Number 10/342,433 entitled "AUTOMATICALLY-ACTIVATED WIRELESS HAND-SUPPORTABLE LASER SCANNING BAR CODE SYMBOL READING SYSTEM WITH DATA TRANSMISSION ACTIVATION SWITCH AND AUTOMATIC COMMUNICATION RANGE DEPENDENT CONTROL", filed January 12, 2003 for Letters Patent of the United States, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

We request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We authorize and empower said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said invention filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

Signed at Blackwood, New Jersey  
on this day of 7-25-03.

Mark A. Schmidt (L.S.)  
Mark Schmidt

State of New Jersey            )  
  ) ss:  
County of Camden            )

This day before me personally appeared MARK SCHMIDT who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 7-25-03.

Garrett Russell (L.S.)  
Garrett Russell

State of New Jersey            )  
  ) ss:  
County of Camden            )

This day before me personally appeared GARRETT RUSSELL, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 7/31/03.

David M. Wilz, Sr. (L.S.)  
David M. Wilz, Sr.

State of New Jersey                    )  
  ) ss:  
County of Camden                    )

This day before me personally appeared DAVID M. WILZ, SR., who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of JULY 31, 03.

Robert Blake (L.S.)  
Robert Blake

State of New Jersey                    )  
  ) ss:  
County of Camden                    )

This day before me personally appeared ROBERT BLAKE, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

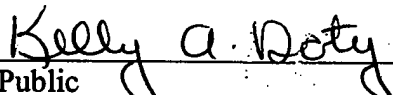


Signed at Blackwood, New Jersey  
on this day of July 31, 2003.

 (L.S.)  
Donald T. Hudrick

State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared DONALD T. HUDRICK, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

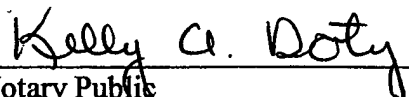
  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of July 31, 2003.

 (L.S.)  
Stephen J. Colavito


State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared STEPHEN J. COLAVITO, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

  
Notary Public

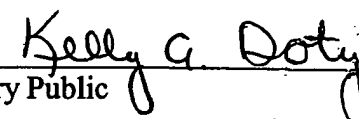
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 7/3/03.

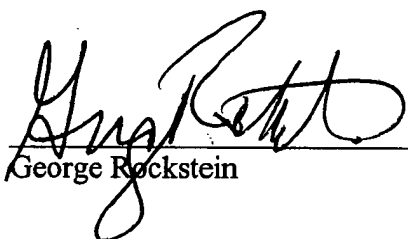
  
C. Harry Knowles (L.S.)

State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared C. HARRY KNOWLES, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

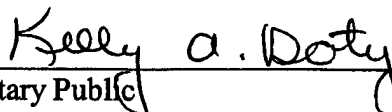
  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 8-1-03.

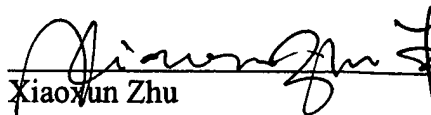
  
George Rockstein (L.S.)

State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared GEORGE ROCKSTEIN, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

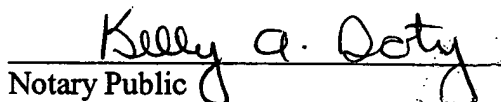
  
Notary Public  
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 7/22/2003.

 (L.S.)  
Xiaoxun Zhu

State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared XIAOXUN ZHU, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

  
Notary Public

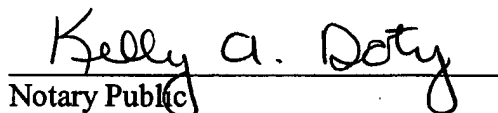
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 8/6/03.

 (L.S.)  
John Bonanno

State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared JOHN BONANNO, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 7/31/03.

Sung Byun (L.S.)

State of New Jersey )

) ss:

County of Camden )

This day before me personally appeared SUNG BYUN, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Suzhou, Jinagsu Province, P.R.C.  
on this day of 2003.07.22.

Congwei Xu (L.S.)  
Congwei Xu

State of New Jersey )  
County of Camden ) ss:

This day before me personally appeared CONGWEI XU, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007



Signed at Suzhou, Jinagsu Province, P.R.C.  
on this day of 21/7/2003.

Meng Hu (L.S.)  
Meng Hu

State of New Jersey  
County of Camden ) ss:

This day before me personally appeared MENG HU, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Suzhou, Jinagsu Province, P.R.C.  
on this day of 2003. 7. 21.

Hongjian Jin (L.S.)  
Hongjian Jin

State of New Jersey  
County of Camden ) ss:

This day before me personally appeared HONGJIAN JIN, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Suzhou, Jinagsu Province, P.R.C.  
on this day of July 22 2007.

Ming Qing Ji (L.S.)  
MingQing Ji

State of New Jersey  
County of Camden ) ss:  
)

This day before me personally appeared MINGQING JI, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Suzhou, Jinagsu Province, P.R.C.  
on this day of 21/07/2007.

Shamei Shi (L.S.)  
Shamei Shi

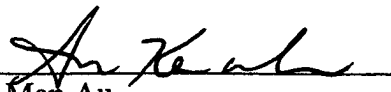
State of New Jersey  
County of Camden ) ss:  
)

This day before me personally appeared SHAMEI SHI, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Kelly A. Doty  
Notary Public

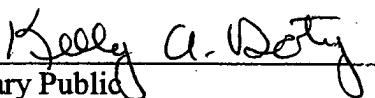
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of July 31 2003.

 (L.S.)  
Ka Man Au

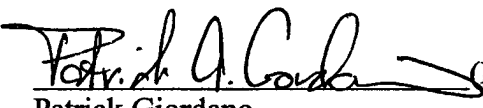
State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared KA MAN AU, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

  
Notary Public

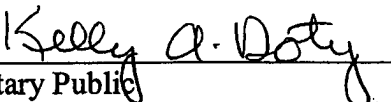
KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007

Signed at Blackwood, New Jersey  
on this day of 7/31/3.

 (L.S.)  
Patrick Giordano

State of New Jersey           )  
  ) ss:  
County of Camden            )

This day before me personally appeared PATRICK GIORDANO, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

  
Notary Public

KELLY A. DOTY  
Notary Public of New Jersey  
Commission Expires Jan 21, 2007